REMARKS

Claims 1-28 remain pending in the application.

Claims 1, 2, 5, 6, 8, 11-15, 18-21 and 24-27 over Berggren in view of Balachandran

In the Office Action, claims 1, 2, 5, 6, 8, 11-15, 18-21 and 24-27 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent No. 6,073,015 to Berggren et al. ("Berggren") in view of U.S. Patent No. 6,073,004 to Balachandran ("Balachandran"). The Applicants respectfully traverse the rejection.

Claims 1, 2, 5, 6, 8, 11-15, 18-21 and 24-27 recite a system and method relying on an <u>application server</u> that is <u>user accessible</u> to determine at least one of presence information and location information of a wireless device.

The Examiner acknowledges that Berggren fails to disclose an <u>application server</u> that is <u>user accessible</u> to determine at least one of presence information and location information of a wireless device (See Office Action, page 3). The Examiner relies on Balachandran to allegedly make up for the deficiencies in Berggren. The Applicants respectfully disagree.

As the Examiner acknowledges, Balachandran discloses an emergency operator that can obtain emergency and location information of a user from a <u>HLR</u> of the user at col. 3, lines 32-59 (See Office Action, page 3).

Thus, modifying Berggren with the disclosure of Balachandran would result in a storage device within a mobility manager that stores location information related to subscriber units operable in respective networks associated with mobility servers (See Berggren, col. 7, lines 21-24). Berggren modified by the disclosure of Balachandran would further utilize an emergency operator that can obtain emergency and location information of a user from a <u>HLR</u> of the user (See Balachandran at col. 3, lines 32-59). Thus, a <u>HLR</u> is **NOT** an **application server**. By the Examiner own acknowledgement Berggren modified by the disclosure of Balachandran would fail to disclose or suggest an **application server**, much less an **application server** that is <u>user accessible</u> to

determine at least one of presence information and location information of a wireless device, as recited by claims 1, 2, 5, 6, 8, 11-15, 18-21 and 24-27.

Moreover, claims 1, 2, 5, 6, 8, 11 and 12 recite a system and method relying on a TCP/IP communications channel for communicating information contained in a database to at least one **application server**.

As the Examiner alleges Berggren discloses a TCP/IP communications channel for communicating information contained in a database to at least one **application server** at col. 4, lines 46-56 and col. 10, line 42-col. 1, line 1. However, a reading of Berggren col. 4, lines 46-56 and col. 10, line 42-col. 1, line 1, and Berggren in its entirety fails to disclose an **application server**, much less a TCP/IP communications channel for communicating information contained in a database to at least one **application server**, as recited by claims 1, 2, 5, 6, 8, 11 and 12.

Balachandran fails to even mention use of a TCP/IP connection, much less a TCP/IP communications channel for communicating information contained in a database to at least one **application server**, as recited by claims 1, 2, 5, 6, 8, 11 and 12.

Thus, Berggren modified by the disclosure of Balachandran would fail to disclose or suggest an **application server**, much less a TCP/IP communications channel for communicating information contained in a database to at least one **application server**, as recited by claims 1, 2, 5, 6, 8, 11 and 12.

Moreover, claims 13-15, 18-21 and 24-27 recite a system and method transmitting at least one of presence and location information relating to at least one wireless system subscriber to at least one **application server** via at least one of an Internet and an Intranet.

Although Berggren discloses use of the Internet for the communication of information, Berggren fails to disclose or suggest use of one of an Internet and an Intranet as a transmission medium to transmit information to an application server. Thus, Berggren fails to disclose or suggest transmitting at least one of presence and location information relating to at least one wireless

system subscriber to at least one **application server** via at least one of an Internet and an Intranet, as recited by claims 13-15, 18-21 and 24-27.

Balachandran fails to even mention use of the Internet or an Intranet. As discussed above, Balachandran fails to disclose or suggest use of an application server. Thus, Balachandran fails to disclose or suggest use of the Internet or an Intranet, much less transmitting at least one of presence and location information relating to at least one wireless system subscriber to at least one **application server** via at least one of an Internet and an Intranet, as recited by claims 13-15, 18-21 and 24-27.

Therefore, Berggren modified by the disclosure of Balachandran would still fail to disclose or suggest transmitting at least one of presence and location information relating to at least one wireless system subscriber to at least one **application server** via at least one of an Internet and an Intranet, as recited by claims 13-15, 18-21 and 24-27.

A benefit of connecting a database relating to individual wireless device subscribers over a TCP/IP communications channel to an application server is, e.g., targeting information specific to wireless device subscribers. An application server can execute such applications as advertisements to wireless device subscribers based on information in the database, triggered by a status change in the location and presence attributes held by a mobile subscriber. By targeting wireless device subscribers with information based on location and/or presence, wireless device subscribers can be given more relevant information at any particular instance.

Accordingly, for at least all the above reasons, claims 1, 2, 5, 6, 8, 11-15, 18-21 and 24-27 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 3, 4, 7, 9, 10, 16, 17, 22, 23 and 28 over Berggren in view of Balachandran and Gossman

In the Office Action, claims 3, 4, 7, 9, 10, 16, 17, 22, 23 and 28 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Berggren in view of Balachandran, and further in view of Gossman et al., U.S. Patent No. 6,181,935 ("Gossman"). The Applicants respectfully traverse the rejection.

Claims 3, 4, 7, 9, 10, 16, 17, 22, 23 and 28 are dependent on claims 1, 13, 19 and 25 respectively, and are allowable for at least the same reasons as claims 1, 13, 19 and 25.

Claims 3, 4, 7, 9, 10, 16, 17, 22, 23 and 28 recite a system and method relying on an application server that is user accessible to determine at least one of presence information and location information of a wireless device.

As discussed above, Berggren in view of Balachandran fails to disclose or suggest an application server that is user accessible to determine at least one of presence information and location information of a wireless device, as recited by claims 3, 4, 7, 9, 10, 16, 17, 22, 23 and 28.

The Office Action relies on Gossman to make up for the deficiencies in Berggren to arrive at the claimed invention. The Applicants respectfully disagree.

Gossman appears to disclose a system which enables seamless roaming for wireless subscribers with cooperation from various entities such as a HLR (col. 3, lines 30-53; col. 4, lines 1-12). Communication between various entities in the communication network utilize SS7 protocol and is IS-41 compliant (Gossman, col. 3, lines 62-67; col. 4, lines 17-22; and col. 11, lines 38-43).

Gossman discloses, as is relied on to disclose, seamless roaming for wireless subscribers with entities within the system utilizing SS7 protocol. Gossman fails to disclose or suggest an application server, much less an application server that is user accessible to determine at least one of presence information and location information of a wireless device, as recited by claims 3, 4, 7, 9, 10, 16, 17, 22, 23 and 28.

Thus, Berggren modified by the disclosure of Balachandran, and further in view of Gossman would still fail to disclose or suggest an application server that is user accessible to determine at least one of presence information and location information of a wireless device, as recited by claims 3, 4, 7, 9, 10, 16, 17, 22, 23 and 28.

Moreover, claims 3, 4, 7, 9 and 10 recite a system and method relying on a TCP/IP communications channel for communicating information contained in a database to at least one **application server**.

As discussed above, Berggren, Balachandran nor Gossman disclose or suggest use of **application server**, much less disclose or suggest a TCP/IP communications channel for communicating information contained in a database to at least one **application server**, as recited by claims 3, 4, 7, 9, 10, 16, 17, 22, 23 and 28.

Moreover, claims 16, 17, 22, 23 and 28 recite a system and method transmitting at least one of presence and location information relating to at least one wireless system subscriber to at least one **application server** via at least one of an Internet and an Intranet.
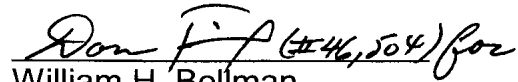
As discussed above, Berggren, Balachandran nor Gossman disclose or suggest use of **application server**, much less disclose or suggest transmitting at least one of presence and location information relating to at least one wireless system subscriber to at least one **application server** via at least one of an Internet and an Intranet, as recited by claims 16, 17, 22, 23 and 28.

Accordingly, for at least all the above reasons, claims 3, 4, 7, 9, 10, 16, 17, 22, 23 and 28 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,
MANELLI DENISON & SELTER PLLC

William H. Bollman
Reg. No.: 36,457
Tel. (202) 261-1020
Fax. (202) 887-0336

2000 M Street, N.W. 7th Floor
Washington D.C. 20036-3307

WHB/df